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PATENT APPLICATION

OUR FILE NO. 20000514.CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re App : Roger A. Wilson : April 26, 2004  
Serial No. : 09/991,352  
Filed : November 20, 2001  
For : MATERIAL DISTRIBUTOR  
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REQUEST FOR REFUND TO DEPOSIT ACCOUNT

Commissioner for Patents  
P.O. BOX 1450  
Alexandria, VA 22313-1450

Dear Sir:

We received an Office Action dated December 3, 2003 regarding the above-referenced application. Attached is a copy of the Amendment, mailed March 2, 2004 in a timely response to the Office Action of December 3, 2003.

Attached is a copy of the undersigned attorney's Monthly Statement of Deposit Account which shows that \$55.00 was taken from that account in connection with the above-entitled patent application for an extension for response within first month fee. In that the Amendment was filed timely, this amount should be refunded.

It is hereby requested, and the Commissioner is hereby authorized, to refund the amount of \$55.00 to Deposit Account No. 08-1265. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

NIKOLAI & MERSEREAU, P.A.

*Steven E. Kahn*

Steven E. Kahn  
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Adjustment date: 06/08/2004 EEKUBAYT  
03/24/2004 AGRAY1 00000001 081265 09991352  
01 FC:2251 55.00 CR



REC'D APR 26 2004

# MONTHLY STATEMENT OF DEPOSIT ACCOUNT

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NIKOLAI & MERSEREAU P.A.  
LINDA J. RICE  
900 SECOND AVENUE, SUITE 820

MINNEAPOLIS MN 55402-3325

FINA

Under Secretary of Commerce for Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
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Account No.	081265
Date	3-31-04
Page	1

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3	3	04	37	76364291	JIN-MICRO	6004	300.00	2863.23
3	10	04	319		CGM-MCN 20010142.ORI	8007	20.00	2843.23
3	11	04	5	5846261	AGA	8013	25.00	2818.23
3	11	04	6	5725552	AGA	8013	25.00	2793.23
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3	11	04	370	E-REPLENISHMENT		9203	-1500.00	4373.23
3	17	04	77	10800000	CGM-ERICP 20040061.ORI	1203	290.00	4083.23
3	23	04	7	10474778	CGM-ERICP	9204	-226.00	4309.23
3	23	04	9	10474778	CGM-ERICP 20030327.ORI	1613	150.00	4159.23
3	23	04	75		CGM-ERICP 20030047ORI	8007	20.00	4139.23
3	24	04	1	09991352	SEK-WILSON, L. 20000514.CON	2251	55.00	4084.23
3	26	04	298		CGM-MCN 20020125.ORI	8007	20.00	4064.23
AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED MUST ALWAYS BE ON DEPOSIT				OPENING BALANCE	TOTAL CHARGES	TOTAL CREDITS	CLOSING BALANCE	
				3163.23	905.00	1806.00	4064.23	



### CERTIFICATE OF MAILING

I hereby certify that the foregoing Amendment consisting of five (5) pages, a transmittal letter and a return receipt postcard for the application Serial No. 09/991,352 of inventor, ROGER A. WILSON, filed November 20, 2001, for "MATERIAL DISTRIBUTOR" was deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP NON-FEE AMENDMENT, Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313, on Tuesday, March 02, 2004.

Anna Lemke

On Behalf of Steven E. Kahm

Re App:

Re App: ROGER A. WILSON  
Title: MATERIAL DISTRIBUTOR  
Art Unit 3652  
Confirmation No. 3354  
Serial No.: 09/991,352  
Filed: November 20, 2001  
Our Docket No.: 20000514.CON/sek

DATED: MARCH 2, 2004



Receipt is hereby acknowledged for an Amendment (Spp.), a transmittal letter and a Certificate of Mailing for the above-identified patent application.

MAIL STOP NON-FEE AMENDMENT  
Commissioner for Patents  
P.O. BOX 1450  
Alexandria, VA 22313-1450





Our Docket No. 20000514.ORI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re App : Roger A. Wilson  
Serial No. : 09/991,352 : Art Unit 3652  
Filed : November 20, 2001 : Examiner Charles A. Fox  
For : Material Distributor  
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AMENDMENT

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Amendment is submitted in response to the Office Action dated July 17, 2003.

Dated: March 2, 2004

Respectfully submitted,

NIKOLAI & MERSEREAU, P.A.

Steven E. Kahm  
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Minneapolis, MN 55402  
Telephone: 612-339-7461

## CLAIMS

1.(currently amended) A material distributing device comprising,

a hopper for carrying a load of material to be distributed,

the hopper having a front end and a rear end and a bottom sloped upward from the front end to the rear end,

a conveyor belt having paddles thereon for engaging and moving the material to be distributed, the conveyor belt supported by a ridged unjointed framework which is pivotally connected to the hopper at the rear end near the bottom and engages the material in the hopper from the top of the material, such that as the conveyor belt pivots downward it becomes parallel to the bottom of the hopper,

the conveyor belt framework being triangular with a first apex of the triangle at the rear end near the bottom of the hopper, a second apex of the triangle being at the front end of the hopper, and a third apex being above and generally forward of the first apex, such that material is moved by the conveyor belt forward on the underside of the conveyor belt from the ~~first~~ second apex to the ~~second~~ first apex ~~and then rearward and upward on the top of the conveyor belt from the second apex to the third apex,~~ and then discharged at the rear end of the hopper by flowing ~~downward from the third apex toward the first apex,~~ out a slot at the rear end of the hopper,

a drive mechanism attached to the conveyor belt for powering the conveyor belt and removing the material from the hopper.

2. (original) A material distributing device as in claim 1 wherein,  
the hopper is supported on a trailer, and  
the drive mechanism includes a trailer wheel having a sprocket, the sprocket having a chain for transmitting power to a sprocket on a drive axel for turning the conveyor belt such that as the drive wheel of the trailer turns when the trailer is moving the conveyor belt moves at a rate proportional to the trailers speed to unload the material in the hopper to distribute the load at a known rate.
3. (original) A material distributing device as in claim 2 wherein,  
a clutch attached to the sprocket on a drive axel for turning the conveyor belt alternately engages the drive axel to distribute the material in the hopper at desired times.
4. (original) A material distributing device as in claim 2 wherein,  
a gear shifting mechanism in conjunction with the sprocket on the drive wheel and the sprocket on the drive axel for turning the conveyor belt changes the ratio of the drive wheel speed to the conveyor belt speed for varying the rate of material distribution from the hopper.
5. (original) A material distributing device as in claim 3 wherein,  
a gear shifting mechanism in conjunction with the sprocket on the drive wheel and the sprocket on the drive axel for turning the conveyor belt changes the ratio of the drive wheel speed to the conveyor belt speed for varying the rate of material distribution from the hopper.
6. (original) A material distributing device as in claim 3 wherein,  
a drive motor drives the drive axel for turning the conveyor belt such that the material can be unloaded from the hopper when the motor is on and unloads the hopper at a rate directly proportional to the motor speed.

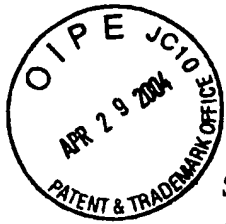
7. (original) A material distributing device as in claim 1 wherein,  
a drive mechanism raises and lowers the conveyor belt support framework to engage or disengage the conveyor belt from the material to be distributed and to aid in loading the hopper with the conveyor out of the way.
8. (original) A material distributing device as in claim 2 wherein,  
a drive mechanism raises and lowers the conveyor belt support framework to engage or disengage the conveyor belt from the material to be distributed and to aid in loading the hopper with the conveyor out of the way.
9. (original) A material distributing device as in claim 3 wherein,  
a drive mechanism raises and lowers the conveyor belt support framework to engage or disengage the conveyor belt from the material to be distributed and to aid in loading the hopper with the conveyor out of the way.
10. (original) A material distributing device as in claim 4 wherein,  
a drive mechanism raises and lowers the conveyor belt support framework to engage or disengage the conveyor belt from the material to be distributed and to aid in loading the hopper with the conveyor out of the way.
11. (original) A material distributing device as in claim 5 wherein,  
a drive mechanism raises and lowers the conveyor belt support framework to engage or disengage the conveyor belt from the material to be distributed and to aid in loading the hopper with the conveyor out of the way.
12. (original) A material distributing device as in claim 6 wherein,  
a drive mechanism raises and lowers the conveyor belt support framework to engage or disengage the conveyor belt from the material to be distributed and to aid in loading the hopper with the conveyor out of the way.

**REMARKS**

The examiner is correct in his analysis that the conveyor belt is turning the opposite direction in the claims from what the specification states and what the drawings show.

Claim 1 has been amended to show a counterclockwise movement of the belt, as the examiner pointed would be the correct direction of movement. The material exits a slot 60 (fig. 3) at the back of the hopper. The material exiting the slot has been added to claim 1.

The applicant believes the application is now in a condition for allowance.



March 2, 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.	:	09/991,352	:	Confirmation No. 3354
Applicant	:	Roger A. Wilson		
Filed	:	November 20, 2001		
TC/A.U.	:	3652		
Examiner	:	Charles A. Fox		
Title	:	MATERIAL DISTRIBUTOR		
Our Docket No.	:	20000514.CON		
Customer No.	:	23595		

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**MAIL STOP NON-FEE AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment in response to the Official Action dated December 3, 2003, in the above-identified patent application.

The Commissioner is hereby authorized to charge any fees listed in 37 CFR 1.16 and 1.17 which may be required by this paper or credit any overpayment to Deposit Account No. 08-1265.

No additional fee is required.

Yours very truly,

NIKOLAI & MERSEREAU, P.A.

Steven E. Kahm

SEK/acI  
Enclosures